



Thomas v. Arn, 474 U.S. 140, 149 (1985); Camby, 718 F.2d at 200. Nonetheless, a district judge is responsible for the final determination and outcome of the case, and accordingly the Court has conducted a careful review of the magistrate judge's recommendation.

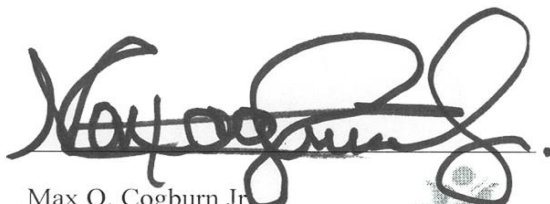
## **II. Discussion**

After such careful review, the court will affirm the magistrate judge's recommendation. Plaintiff's motion is a voluntary dismissal of the case, and defendants have failed to file any response, even after a Roseboro order (#15) issued on July 5, 2018 to advise defendants of their right to respond. Indeed, defendants' silence goes back even further, as review of the record shows that defendants have not made any filing in this matter since January 10, 2017 and have thus clearly forfeited any potential counterclaims they may have sought. As such, the court will affirm the recommendation and dismiss this matter with prejudice.

## **ORDER**

**IT IS, THEREFORE, ORDERED** that the Memorandum and Recommendation (#16) is **AFFIRMED**, plaintiff's *pro se* Motion for Dismissal with Prejudice (#14) is **GRANTED**, and all claims, be they claims asserted in the Complaint or claims asserted as Counterclaims, are **DISMISSED** with prejudice, and that this case is **CLOSED**.

Signed: August 23, 2018



Max O. Cogburn Jr.  
United States District Judge